

REMARKS

Claims 1-28 were presented for examination and were pending in this application. In a final Official Action dated October 16, 2008, claim 24 was allowed, claims 21-23 were objected to, and claims 1-6, 13-20 and 25-28 were rejected. Applicant thanks the Examiner for examination of the claims pending in this application and addresses the Examiner's comments below. Based on the above Amendments and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Rejection Under 35 U.S.C. §101

In the second paragraph of the Office Action, the Examiner has rejected claims 1-6, 13-18, and 25-28 under 35 U.S.C. §101, as allegedly being based on non-statutory subject matter. This rejection is respectfully traversed.

As amended, claims 1, 4-6, 25, and 26 recite resampling an input image to produce an output image. Applicant submits that the input image thus is subject matter transformed via resampling into a different state or thing, i.e., the output image. Thus, Applicant submits that claims 1, 4-6, 25, and 26 now recite patentable subject matter. Claims 2 and 3 are canceled.

Claims 13, 16-18, and 27 have been amended according to the Examiner's suggestion. Thus, Applicant submits that claims 13, 16-18, and 27 now recite patentable subject matter. Claims 14 and 15 have been canceled, and claim 28 has been amended to depend from claim 19.

Response to Rejection Under 35 U.S.C. §102(e)

In the third paragraph of the Office Action, the Examiner rejects claims 1-2, 13-14, and 19-20 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Publication No. 2003/0174892 (“Gao”). This rejection now is traversed.

The Examiner indicated that claim 24 was allowed and claims 21-23 were objected to only as dependent on a rejected base claim. Claim 19 was amended to include the allowable subject matter of claim 21 (including intervening claim 20), and thus should also now be allowable. In addition, claim 1 has been amended to include the subject matter of claim 3 (including intervening claim 2), and claim 13 the subject matter of claim 15 (including intervening claim 14). Each of claims 3 and 15 recite similar subject matter as claim 21, and thus are assumed to now be allowable under the same rationale.

In addition, dependent claims 4-5, 16, 17, 22-23, and 25-28 have been amended to depend upon claims 1, 6, 13, 19, or 24, and thus also are deemed to be allowable for reason of their dependency and for other patentably distinguishable features recited therein.

Conclusion

In sum, Applicant respectfully submits that claims 11, 4-6, 13, 16-19, and 22-28, as presented herein, are patentably distinguishable over the cited reference. Therefore, Applicant requests reconsideration of the basis for the rejections of these claims and requests allowance of them.

In addition, Applicant respectfully invites the Examiner to contact Applicant's representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,

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